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UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA
 WESTERN DIVISION

EDWARD THOMAS,

Petitioner,

v.

T. FELKER, Warden,

Respondent.

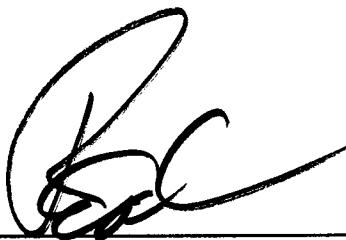
NO. CV 07-625 R (FFM)

ORDER ADOPTING FINDINGS,
 CONCLUSIONS AND
 RECOMMENDATIONS OF
 UNITED STATES MAGISTRATE JUDGE

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, all the records and files herein, and the Report and Recommendation of the United States Magistrate Judge. The Court concurs with and adopts the findings, conclusions and recommendations of the Magistrate Judge.

IT THEREFORE IS ORDERED that: (1) respondent's Motion to Dismiss is GRANTED; and (2) Judgment be entered dismissing this action without prejudice.

DATED: June 16, 2008



 MANUEL L. REAL
 United States District Judge